

Planning Commission Hearing

Minutes

October 11, 2010

PC MEMBERS	PC MEMBERS ABSENT	STAFF PRESENT
Alderman Russell		Joe Adkins, Deputy Director for Planning
Josh Bokee		Gabrielle Dunn, Division Manager of Current Planning
Gary Brooks		Pam Reppert-City Planner
Steve Stoyke		Brandon Mark-City Planner
Meta Nash		Nick Colonna-Division Manager of Comprehensive Planning
Billy Shreve		Devon Hahn, City Traffic Engineer
		Scott Waxter, Assistant City Attorney
		Carreanne Eyler, Administrative Assistant

•I. **Announcements:**

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Commissioner Nash announced they were going to change things around a bit and vote to have a change of order.

MOTION: Commissioner Shreve

SECOND: Commissioner Bokee

VOTE: 5-0.

II. Public Hearing-Swearing In:

"Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Planning Commission will be the whole truth and nothing but the truth." If so, answer "I do".

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III. Public Hearing-Consent Items:

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(All matters included under the Consent Agenda are considered to be routine by the Planning Commission. They will be enacted by one motion in the form listed below, without separate discussion of each item, unless any person present - Planning Commissioner, Planning Staff or citizen -- requests an item or items to be removed from the Consent Agenda. Any item removed from the Consent Agenda will be considered separately at the end of the Consent Agenda. If you would like any of the items below considered separately, please say so when the Planning Commission Chairman announces the Consent Agenda.)

A. PC10-124PFC, Preliminary Forest Conservation Plan, Riverside Center Park Phase II

MOTION: Commissioner Bokee moved to approve the consent agenda item PC10-124PFC Riverside Center Park.

SECOND: Commissioner Brooks

VOTE: 5-0.

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•IV. Miscellaneous:

B. PC10-180FSI, Final Site Plan, Commons of Avalon

G. PC10-231FSI, Final Site Plan, Get Go Convenience Store

H. PC10-350FSCB, Combined Forest Stand Delineation/Preliminary Forest Conservation Plan, Get

Go Convenience Store

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PLANNING COMMISSION ACTION TO CONTINUE THE ABOVE 3 CASES TO NOVEMBER 8, 2010 HEARING:

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MOTION: Commissioner Bokee moved to continue to the November 8, 2010 hearing the 3 items as read into the record by the Planning Commission Chair.

SECOND: Commissioner Brooks.

VOTE: 5-0.

•V. New Business:

E. PC10-232FSU, Final Subdivision Plat, Ballenger Creek Commercial

INTRODUCTION OF CASE BY THE PLANNING STAFF:

Mr. Mark entered the entire staff report into the record. He stated that the Applicant is requesting approval of a final subdivision plat proposed to dedicate a portion of

Ballenger Center Drive and to resubdivide the property into Lots 8, 9, 10 and Out lot A. The proposal is located off of Ballenger Creek Drive, south of Interstate 70 and south west of Interstate 270.

INITIAL PLANNING STAFF RECOMMENDATION:

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Staff recommends conditional approval of the Final Subdivision Plat PC10-232FSU subject to the following conditions:

To be met in less than 60 days:

- 1. The Applicant must revise the water allocation note to reflect the language provided in the staff report.
- 2. The Applicant must receive unconditional approval of the proposal from the Frederick County Department of Utilities and Solid Waste Management.

To be met in greater than 60 days and less than one year:

- 1. The Applicant must record the common access easement agreement between Lots 8 and 9.

PLANNING COMMISSION QUESTIONING OF STAFF:

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Commissioner Bokee question if everyone agrees that in the to be met in less than 60 days number 2 "The Applicant must receive unconditional approval of the proposal from the Frederick County Department of Utilities and Solid Waste Management" is an adequate amount of time.

Mr. Mark replied that it is a minor procedure.

PRESENTATION OF THE CASE BY THE PETITIONER/APPLICANT OR HIS AGENT OR ATTORNEY:

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Mr. William Reed, Loiederman Soltesz Associates concurred with the staff report.

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PLANNING COMMISSION QUESTIONING OF PETITIONER/APPLICANT:

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There was no questioning of the petitioner/applicant from the Planning Commission.

PUBLIC COMMENT:

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There was no public comment.

PETITIONER REBUTTAL:

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There was no petitioner rebuttal.

PLANNING COMMISSION DISCUSSION AND QUESTIONS FOR STAFF:

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There was no discussion or questions for staff from the Planning Commission.

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RESTATEMENT/REVISION OF PLANNING STAFF RECOMMENDATION:

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There were no restatements/revisions from Planning Staff.

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PLANNING COMMISSION ACTION:

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MOTION: Commissioner Bokee made a motion for the conditional approval of subdivision plat PC10-232FSU subject to the conditions as read into the record tonight by staff as well as in the staff report the 2 conditions to be met in less than 60 days and the 1 condition to be met in great than 60 days but less than 1 year.

SECOND: Commissioner Brooks.

VOTE: 5-0.

F. PC10-274PCM, Fence Modification, 412 Grant Place

INTRODUCTION OF CASE BY THE PLANNING STAFF:

Ms. Reppert entered the entire staff report into the record. She stated that the subject property is 412 Grant Place, north of Rosemont Avenue and south of W. 7th Street. The zoning for the property is R6, Low Density Residential. The Applicant is requesting a modification to plant a hedge row and to construct a fence along the Schley Avenue frontage of the property.

INITIAL PLANNING STAFF RECOMMENDATION:

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Staff recommends unconditional approval of modification PC10-274PCM for the construction of a 4' picket style fence or wrought iron/aluminum style fence with masonry columns not to exceed 5', in addition to, a hedge row of hollies or comparable plantings to reach a mature height not to exceed 4' in the Schley Avenue front yard of the property located at 412 Grant Place, based on compliance with the modification criteria established under Section 309(k) and Section 821(d) of the LMC.

PLANNING COMMISSION QUESTIONING OF STAFF:

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Commissioner Nash asked what the scale was for the distance of the planting beds were from where the fence starts.

Mr. Mark stated that the fence is 2 feet off center of the plantings.

Commissioner Nash questioned the distance between the curb and the fence line.

Mr. Mark replied that from the fence it would be 12 feet and from the actual property line it is to the curb is 10 feet.

PRESENTATION OF THE CASE BY THE PETITIONER/APPLICANT OR HIS AGENT OR ATTORNEY:

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Mr. Mark concurred with the staff report.

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PLANNING COMMISSION QUESTIONING OF PETITIONER/APPLICANT:

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There was no questioning of the petitioner/applicant from the Planning Commission.

PUBLIC COMMENT:

-

There was no public comment.

PETITIONER REBUTTAL:

-

There was no petitioner rebuttal.

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PLANNING COMMISSION DISCUSSION AND QUESTIONS FOR STAFF:

-

There was no discussion or questions for staff from the Planning Commission.

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RESTATEMENT/REVISION OF PLANNING STAFF RECOMMENDATION:

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There were no restatements/revisions from Planning Staff.

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PLANNING COMMISSION ACTION:

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MOTION: Commissioner Bokee moved to recommend approval of modification PC10-274PCM for the construction of a 4 foot picket style fence or wrought iron/aluminum style fence with masonry columns not to exceed 5 feet, in addition to, a hedge row of hollies or comparable plantings to reach a mature height not to exceed 4 feet in the Schley Avenue front yard of the property located at 412 Grant Place, based on compliance with the modification criteria established under Section 309(k) and Section 821(d) of the LMC and as read into the record by staff and in the staff report.

SECOND: Commissioner Brooks.

VOTE: 5-0.

•C. **East Frederick Rising**

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Colonna discussed framework of the vision plan. Colonna outlined the document chapters and its breakout.

1. Problems with the Process
2. Economic Growth
3. Smart Growth and Planning
4. Transportation and Streets
5. Parks and Recreation
6. Green Technology
7. Environment
8. Architecture

Colonna emphasized that the document is rooted in smart growth principles as follows:

Growth: A Regional Hub for Economic Growth

2. Place making: Creation of Place
3. Efficiency: Resource Conservation and Investment
4. Livability: Livable Streets

Colonna also went over the process for review and approval:

- EFR Presentation was September 8th, attended by about 85 persons
- Over two year Process
- Receive comments and input through October
- Planning Commission Recommendation
- Mayor and Board of Aldermen Approval
- Start of Small Area Plan

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•D. **Golden Mile Small Area Plan**

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Colonna presented a status update on the GM and the upcoming meeting on October 13, 2010

- Review last workshop -
- Discussion on potential Direction and obtain input on Priorities summarized through out the presentation - 50 minutes
- Next Steps

Colonna also provided a set a catories that workshop 2 planned to discuss:

- Appearance/Livability
- Pedestrian, Biking, Transit
- Connections and Circulation
- Land Use and Zoning/Regulatory/Economic

Colonna also discussed next steps:

- Refine comments and priorities from Workshop 2 and Surveys
- Present draft direction for the Small Area Plan at Workshop 3 Outline small area plan priorities

-November/December

- Special Lecture Series on redeveloping Commercial Strips

- October 26, 2010

- Randall Arendt

- Cultural Arts Center

- 7-9PM

Commissioner Shreve dismissed himself from the hearing at 6:30 P.M.

VI. Approval of Minutes:

Approval of the **August 16, 2010** Planning Commission Workshop Minutes as amended:

MOTION: Alderman Russell.

SECOND: Commissioner Nash.

VOTE: 2-0. (Commissioner Bokee, Brooks, Stoyke abstained)

Approval of the **September 13, 2010** Planning Commission Minutes as amended:

MOTION: Commission Bokee.

SECOND: Commissioner Stoyke.

VOTE: 4-0. (Commissioner Nash abstained)

Approval of the **September 20, 2010** Workshop Minutes as amended:

MOTION: Alderman Russell.

SECOND: Commissioner Brooks.

VOTE: 3-0. (Commissioner Nash & Commissioner Bokee abstained)

Approval of the **October 8, 2010** Pre/Planning Commission Minutes as amended:

MOTION: Commissioner Bokee.

SECOND: Alderman Russell.

VOTE: 2-0. (Commissioner Nash, Brooks, Stoyke abstained)

Meeting adjourned at 6:40 P.M.

Respectfully Submitted,

Carreanne Eyler

Administrative Assistant